

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

RUBY MAE SIMON CONSTANCE, : **CIVIL ACTION NO. 12-cv-01252**
ET AL

VERSUS : **JUDGE MINALDI**

AUSTRAL OIL EXPLORATION
CO., INC., ET AL : **MAGISTRATE JUDGE KAY**

REPORT AND RECOMMENDATION

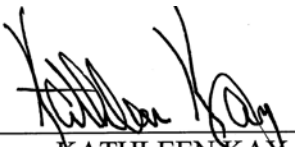
In a separately issued Memorandum Order, this court denied plaintiffs' Motion to Remand and determined that defendant Austral Oil Exploration Company, Inc. is no longer in existence.

For the reasons stated in that Memorandum Order, the court recommends that the Plaintiffs' claims against Austral Oil Exploration Company, Inc. be DISMISSED.

Under the provisions of 28 U.S.C. § 636(b)(1)(C) and Rule 72(b) of the Federal Rules of Civil Procedure, the parties have fourteen (14) business days from receipt of this Report and Recommendation to file any objections with the Clerk of Court. Timely objections will be considered by the district judge prior to a final ruling.

Failure to file written objections to the proposed factual findings and/or the proposed legal conclusions reflected in this Report and Recommendation within fourteen (14) days following the date of its service shall bar an aggrieved party from attacking either the factual findings or the legal conclusions accepted by the District Court, except upon grounds of plain error. *See Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1429–30 (5th Cir. 1996).

THUS DONE this 6th day of February, 2013.



KATHLEEN KAY
UNITED STATES MAGISTRATE JUDGE